

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Church & Dwight Co., Inc. and Church &
Dwight Virginia Co., Inc.,

Plaintiffs,

- against -

Kaloti Enterprises of Michigan, L.L.C., doing
business as "Kaloti Enterprises", Rassem Kaloti,
Isaac Kaloti, Alex Trading Corp., Dish Corp. I,
Julliana Food Corp., Omar Burghol, Ala
Burghol, Michael Mosodeen d/b/a FourM Vending,
T&L Trading Co., David Tang a/k/a Xiong Tang,
Extreme Supplies LLC, Omar Al-Atoom and John
Does 1-10,

Defendants.

07 Civ. 612 (BMC)

STIPULATION AND ORDER

FILED UNDER SEAL

PURSUANT TO 15 U.S.C. § 1116

UPON THE STIPULATION AND AGREEMENT by and between the undersigned counsel for Plaintiffs Church & Dwight Co., Inc. ("Church & Dwight") and Church & Dwight Virginia Co., Inc. ("Church & Dwight Virginia") (collectively, "Plaintiffs"), and defendants T&L Trading Co. and David Tang a/k/a Xiong Tang (together, the "T&L Trading Defendants"), it hereby is ORDERED as follows:

1. The T&L Trading Defendants acknowledge having been served with the following documents and waive any defenses as to personal or subject matter jurisdiction with respect to these documents: Summons and Third Amended Complaint, Order to Show Cause for a Temporary Restraining Order and Preliminary Injunction, including the supporting Declarations, Seizure Order and Memorandum of Law.

2. The preliminary injunction hearing scheduled for March 19, 2007 with respect to the Order to Show Cause is hereby cancelled with respect to the T&L Defendants.

Handwritten notes: "20", "Seal", "Signed", "03/15/07", "J. C. [unclear]"

3. The T&L Trading Defendants and their agents, servants, employees, and all other persons in active concert and participation with them, pending the final hearing and determination of this action are preliminarily enjoined from using any reproduction, counterfeit, copy, or colorable imitation of any of the Trojan Marks in connection with the manufacture, sale, offer for sale, distribution, advertisement, publicity, promotion, sale, or advertising of condoms (the Trojan Marks are: MAGNUM (Reg. No. 1,968,608), TROJAN (Reg. No. 544,931), TROJAN-ENZ (Reg. Nos. 2,875,092), "TRIPLE TESTED" SEAL (Reg. No. 2,203,169), and "WARRIOR HEAD" LOGO (Reg. No. 2,012,578)).

4. The T&L Trading Defendants shall be permitted to sell, offer for sale, distribute, and advertise products bearing the Trojan Marks only to the extent that those products are purchased directly from Plaintiffs or from an authorized distributor of Plaintiffs. Plaintiffs will provide a list of one or more conveniently located authorized distributors.

5. The T&L Trading Defendants shall be permitted to sell any products bearing Trojan Marks in its inventory as of the date of this agreement of which samples have been tested by Plaintiffs and have been determined not to be counterfeit.

6. The time for the T&L Trading Defendants to answer the Complaint is extended to August 31, 2007.

7. Plaintiffs and surety RLI Insurance Company are released from any and all liability under Bond Number RSB733558 and the seizure executed against the T&L Trading Defendants is hereby confirmed.

8. Plaintiffs agree to release any bank account funds of the T&L Trading Defendants which have been seized in connection with this action.

9. Defendant David Tang agrees to provide cooperation with Plaintiffs' continuing investigation which may require him to appear for a deposition.

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14. Signatures transmitted electronically or by facsimile shall be deemed original.

Dated: March 13, 2007

CONSENTED AND AGREED TO BY:

Xiong Ping Tang
David Tang a/k/a Xiong Tang

KRAMER LEVIN NAFTALIS & FRANKEL LLP JONATHAN MARKS, P.C.

By: Jeffrey Potter (GP-8073)
Gabrielle Gould (GG-9407)
1177 Avenue of the Americas
New York, New York 10036
(212) 714-9100

Attorneys for Plaintiffs

SO ORDERED:

By: Jonathan Marks (JM-9696)
220 Fifth Avenue
Third Floor
New York, New York 10001
(212) 545-8008

Attorneys for the T&L Trading Defendants

UNITED STATES DISTRICT JUDGE


10. Signatures transmitted electronically or by facsimile shall be deemed original.

Dated: March 13, 2007

CONSENTED AND AGREED TO BY:

David Tang a/k/a Xiong Tang

KRAMER LEVIN NAFTALIS & FRANKEL LLP JONATHAN MARKS, P.C.

By: 
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Attorneys for the T&L Trading Defendants

UNITED STATES DISTRICT JUDGE